

Exhibit No. 10Amendments to Senate Bill No. 338 2-19-071st Reading Copy Bill No. SB 336

Requested by Senator Greg Lind

For the Senate Public Health, Welfare and Safety Committee

Prepared by Lisa Mecklenberg Jackson

February 16, 2007 (2:23pm)

1. Title, line 6.

Following: "PRODUCTS";**Insert:** "AND"

2. Title, lines 8 and 9.

Strike: ";" through "MCA"

3. Page 1, lines 13 through 30.

Strike: section 1 in its entirety**Renumber:** subsequent sections

4. Page 2, following line 9.

Insert: "(4) For the purposes of this section, the following definitions apply:

(a) "Bidis" means a product containing tobacco that is wrapped in temburni leaf, also known as "Diospyros melanoxylon", or tendu leaf, also known as "Diospyros exculpra", or any other product offered to consumers as bidis or beedies.

(b) "Candy flavors" include the flavors of confections made from sugar or sugar substitute and the brand names of any of those confections and also include chocolate, cocoa, mocha, vanilla, honey, maple, cinnamon, and licorice flavors.

(c) "Flavored cigarette or cigar" means any cigarette or cigar or component of a cigarette or cigar, including but not limited to tobacco, paper, roll, or filter, that contains a natural or artificial constituent or additive that causes the cigarette or cigar or its smoke to have a characterizing flavor other than tobacco or menthol, and the characterizing flavor includes but is not limited to candy or fruit flavors.

(d) "Flavored tobacco product" means smokeless or chewing tobacco and loose tobacco that contains a natural or artificial constituent or additive that causes the tobacco to have a characterizing flavor other than tobacco or menthol, and the characterizing flavor includes but is not limited to candy or fruit flavors."

5. Page 2, line 11 through page 3, line 1.

Strike: section 3 in its entirety**Renumber:** subsequent section

6. Page 3, line 3.

Strike: "[Sections 1 and 2] are"

Insert: "[Section 1] is"

7. Page 3, line 4.

Following: the first "chapter 11,"

Insert: "part 3,"

Following: the second "chapter 11,"

Insert: "part 3,"

Strike: "[sections 1 and 2]"

Insert: "[section 1]"

- END -

Explanation - #1 and #2: Because the proposed definitions apply only to new section 2, it is appropriate to place those definitions in the new section itself. Otherwise, the new definitions should be incorporated into the existing definition sections at 16-11-302. Also, the reference to 45-5-637 has been removed from the definition section as the defined term does not appear in the proposed amendments to 45-5-637. #3: The definition of "tobacco product" found in 16-11-302 includes those products prohibited in this legislation. The proposed amendments to 45-5-637 are redundant.